

Preparing For Mgmt. 03-25-08

THOMAS, JAMES EDWARD  
NAME  
F-21197/A-1, 6 Bd., "B" Sect., CN. 120  
PRISON NUMBER

P.O.B. 290666/C.S.P. At Sac./Folsom  
CURRENT ADDRESS OR PLACE OF CONFINEMENT

Repres, Calif. 95670-0066  
CITY, STATE, ZIP CODE

To: The Court/Justices - Please Be  
Advised That Deft. IS, Too Fully In-  
digent - w/o - Adequate Supplies To  
Properly File/Petition For A Hearing/  
Address - Of - Wyoming - Because, The D.A.  
- N - Prison Officials Are Overtly Putting  
Stumbling - Blocks, Every - Which - Away,  
In My Way - N - Flatly Refuses To Issue any  
Rqstd./needed Supplies - Plus, Refsd. To Provide  
Deft - w - needed Photo Copies, Also -

UNITED STATES DISTRICT COURT  
~~Northern~~ 1980 S. First St., San Jose, CA 95113  
~~Southern~~ DISTRICT OF CALIFORNIA

EDWARD W. WICKHAM  
U.S. DISTRICT COURT  
NO. DIST. OF CALIF. S.D.

2008 APR - 3 A 8:00 PM

FILED

THOMAS, JAMES EDWARD  
(FULL NAME OF PETITIONER)

PETITIONER

v.

THE WARDEN, C.S.P./STATE OF CAL.  
(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED  
PERSON HAVING CUSTODY OF PETITIONER [E.G., DIRECTOR OF THE  
CALIFORNIA DEPARTMENT OF CORRECTIONS])

RESPONDENT

and

The Attorney General of the State of  
California, Additional Respondent.

**C08 01778 SBA**

Civil No.

(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2254  
BY A PERSON IN STATE CUSTODY

03-25-08 Orig. Only?

ATTN: Contains / consist of (25) Pgs - [Total]  
Including A one Page / Page(s) of Clarification  
Addendum, To Defts mind, very necessary, Enclosure!

- Name and location of the court that entered the judgment of conviction under attack: The Superior Court Dept. No. 36, IN And For Santa Clara County, S.J.
- Date of judgment of conviction: Sent. March 20, 2006
- Trial court case number of the judgment of conviction being challenged: Criminal  
- For § 260 V -  
Conviction(s) For Burglary - w - Assault - To - Com. (Pepe - N - Peeping) / CC - 583911
- Length of sentence: (25) years - To - Life - w - (5) years Enhancement - Plus.  
AFTER Deft was housed At The D.V.I. building center - Just before  
Trans Fey To H.D. S.P. Susanville, A sudden / Mysterious 10,000 dollar  
Fine APPEARED Thru / Via Corr. Counselor - -- No Such - Fine occurred in  
The sentencing court, what - so - ever. (Pg. 2)

5. Sentence start date and projected release date: Sentence started upon my first arrest on Feb. 25, 2005 - Before The Faked/Entrapmental Dismissable of Charges.  
Re Filing -
6. Offense(s) for which you were convicted or pleaded guilty (all counts): Absolutely, NO Guilty Plea - Convicted, Too Falsely, ON Burglary - 459 P.C.; Assault - w- Intent - To - Rape - 220 P.C.; Prowling/Peeping - w- Intent - To - Burglarize.
7. What was your plea? (CHECK ONE)
- (a) Not guilty ☒
- (b) Guilty ☐
- (c) Nolo contendere ☐
8. If you pleaded not guilty, what kind of trial did you have? (CHECK ONE)
- (a) Jury ☒
- (b) Judge only ☐
9. Did you testify at the trial?
- ☐ Yes ☒ No

## DIRECT APPEAL

10. Did you appeal from the judgment of conviction in the California Court of Appeal?
- ☒ Yes ☐ No Tried Thru The So. Selected Counselor, Same - As - At Trial
11. If you appealed in the California Court of Appeal, answer the following:
- (a) Result: Thus Far, A Conflict-Of-Interest, Resulted in, only, Partial Mod. of Sentence!
- (b) Date of result, case number and citation, if known: \_\_\_\_\_
- (c) Grounds raised on direct appeal: The Ct. App'd. Counsel only wanted Deft. To Appear Psychologically un-Fit/Un-Supported Grounds of In-Effective ness-Of-Court App'd. Dep. Pub. Def. .... Even The Deft Tried, In Vain To Bring To His/The DPP's Attn. The Most Pertinent Error Of Mis-ID. See Attached Extra-Sheet of Explanation For Better Details
12. If you sought further direct review of the decision on appeal by the California Supreme Court (e.g., a Petition for Review), please answer the following: - Court Acted To, only, Accept S.A. Hat Corp
- (a) Result: AS FOR A Certification of (my) Appeal, Due To Excessive/Un-Neces. P.A.C. Delays
- (b) Date of result, case number and citation, if known: March 19, 2008 - S-156953  
No Tangible Reason-Except, e.g. - I R E Swain 1949/P.V. Dura 11/(1955)962.4th. 464
- (c) Grounds raised: Deft. Tried To Bring-up (All) the Pertinent Mis-Conduct/Intentions Error The Appis/Tr. Ct. Attn. Flatly Refused To Clarify-To - Ct.-N-Jury, e.g. - Dismissal For Mis-ID./Not-In-Poss. Of Any Stolen Head Coverings/NO Finger-Prints were Found At Burglarized Apt. Matched Deft - NO Glove/Hand Covering worn/Great Contrast-In-ID. .... E. wit. Claimed Porphyrotrater wore Bright Green Top - In Opposed To Defts. Dark Grey-N-Pink. .... Definitely, NO Cap/Head-Covering, As was Verified By, At Least (8) Residents - N- State-out Police Just Prior To Defts. Arrest, under Very Harassment/Spitefull Conditions - under Constant Un-Nec. Surveillance etc!

13. If you filed a petition for certiorari in the United States Supreme Court, please answer the following with respect to that petition:

(a) Result: None yet Contemplated, IF The Co. Quits Messing w/ My Access To Court!

(b) Date of result, case number and citation, if known: N/A

(c) Grounds raised: N/A

N/A

### COLLATERAL REVIEW IN STATE COURT

14. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Superior Court?

☒ Yes ☒ No

15. If your answer to #14 was "Yes," give the following information:

(a) California Superior Court Case Number: Tried To File For Release of Property

(b) Nature of proceeding: Explained The Very Erroneous Mis-Citriage of Sign Paper of Confiscated Funds/Property! Justice - N - In Adequacy of Both Atty's - Tr. - N - Appis. by way of an Entry -

(c) Grounds raised: I was, Too, Deliberately, Set-up/Messed-over By The, So-called, Dep. Pub. Deft. - Because, (He) Only Tried To Get Me To Plead Guilty / Flatly Refused To Bring To The Atty. of Ct. / Turn, T. Mis. ID. Prior D.P.D. Flatly Ref. To Know, wit. Off. Sec. / Possible / Pol. Off. Stole Funds - Dismissal / Big Discrepancy of No-wear Hd. Covering (was on Dr. Way - No Peeping -

(d) Did you receive an evidentiary hearing on your petition, application or motion?

☐ Yes ☒ No

(e) Result: The Petition(s) were Wrongfull Rd. (All) Torn-up / Disman'tled

(f) Date of result: June of 2007, At Annou Leg. Mail Delivery - App. 130 PM Eve

16. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Court of Appeal?

☒ Yes ☐ No

17. If your answer to #16 was "Yes," give the following information:

(a) California Court of Appeal Case Number: Tried Futily In Vain To A Mysterious "6 Dist App. Ct. OF Appis, S. J. J. J."

(b) Nature of proceeding: Dismissal of Un-Natural/Pessimistic County's Agency Selection of An Appis Atty. From Another County / who Does Exactly What DA. Started!

(c) Grounds raised: It Appeared The Said Counselor, Just-like-That-to. Psychiatrist, only want ed To Make Me Appeal, Too Psych. - out-of-It - w. Added Insult, He-Had-To-Ext. No-Grp - The-Hand-That Feels

Instead of (them) Being Willing To Investigate The Trumpled-up Situation (charges, Accepted Police's Version, Only) --- Where, as I Tried To Fully Inform Both Counselors of The S.C.I. P.D. Continual use of Substituted Vic./Witness

- (d) Did you receive an evidentiary hearing on your petition, application or motion? - M - Even Att. Offs  
☐ Yes ☒ No
- (e) Result: Most of The Copies To Pertinent Residence were Rtd. In-Agency Only.  
- That I will not get any mail - out of Prison
- (f) Date of result: Absolutely, No words to date - EXCEPT Co. LEA's Harassment Ploy of

18. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions (e.g., a Petition for Writ of Habeas Corpus) with respect to this judgment in the California Supreme Court?

☒ Yes ☐ No

19. If your answer to #19 was "Yes," give the following information:

- (a) California Supreme Court Case Number: S-15 69 53
- (b) Nature of proceeding: Asked/Petitioned For Certification of My Correction Mis-Carried  
mis-Tactical Denial of Speedy Justice -  
Appeal, For - Seemingly - D. Att. Gen - M - Appd Counsel's Un-Necessary Delaying -
- (c) Grounds raised: No Mention of The Mis-ID./Prior Dismissal of Charge/  
Pol. used Entrapment, by Forcing - me - From My Residence w - Much of  
A Great Deal of - Extra Close Surveillance To Try - To - Get Additional  
Made-up False Charges To Support That (10) Day Dismissal/Re-arrest on A Warrant  
Where As (They) Knew Exactly Where I was At All Times / Had Residence Stated  
Out / Booby Trapped TV.
- (d) Did you receive an evidentiary hearing on your petition, application or motion?  
☐ Yes ☒ No Did Not Appeal So - Even Tho There was An Independent Invest  
- M - (All) Alleged/Purported witnesses were Found To Abuse Delib. kind - ESPEC. T. Prior  
Appe, would be - Victim
- (e) Result: It Appeals They/The Court Denied Same For other Reasons. -  
See The App Ct's OPIN.
- (f) Date of result: March 19, 2008 - - - Referred To Some Case Citations, Only.

20. If you did not file a petition, application or motion (e.g., a Petition for Review or a Petition for Writ of Habeas Corpus) with the California Supreme Court containing the grounds raised in this federal Petition, explain briefly why you did not:

I/DRF, Tried - In Vain, Many Times To Inform The Court of (His) Dire  
Situation - w - A Supplemental Hand-written Petition - M - This Prison  
Lib. Law Librarian Flatly Refused To Supply Me (DRF) An Indigent Party  
Any Photo-Copies, Simply Because, The Included Exhibits Appeared, Some-what, In  
better Form - - - Not-with-standing, Any Typos of Communiqués To An  
Att./leg. counsel/Any LA Courts are Deemed legal - M - Confidential, Regard-  
less of It's Contents, Just - As - Long - As - It's Properly Addressed  
So - Stated For legal usage or And To Act As Grounds To Support An IMP. Claim(s)

(Pg. no. 5)

COLLATERAL REVIEW IN FEDERAL COURT

21. Is this your first federal petition for writ of habeas corpus challenging this conviction?

☒ Yes ☐ No (If "YES" SKIP TO #11)

(a) If no, in what federal court was the prior action filed? N/A.

(i) What was the prior case number? N/A.

(ii) Was the prior action (CHECK ONE):

☐ Denied on the merits?

☐ Dismissed for procedural reasons?

NONE, SO-FAR, TAKEN OR CONTEMPLATED, AT THIS TIME, HOPEFULLY, THIS PET. WILL GET IN COURT AS INTD - W/O INTERFERENCE

(iii) Date of decision: N/A. - - -

(b) Were any of the issues in this current petition also raised in the prior federal petition?

☐ Yes ☒ No N/A.

(c) If the prior case was denied on the merits, has the Ninth Circuit Court of Appeals given you permission to file this second or successive petition?

☐ Yes ☒ No N/A. THIS IS FIRST TIME TRIED TO FILE IN THIS (4- ON THIS (THESE PENDING FALSIFIED VN-TRUTHFULL ACCUSATIONS/TRUMPED-UP MIS-CHARGES.

FOR THIS GREAT COURTS REVIEW (MAYBE, ACCEPTANCE OF THIS, SO-CALLED, OVERT DELIBERATE, MIS-CARRIAGE(S) OF JUSTICES X MANY OTHERS, DPH. FULLY BELIEVES CAUTION: THAT THIS Ct. CAN JUSTIFIABLY, ACT-UP THE OVERT SHOW OF CONFLICT-OF-INTEREST-OF-COURSE BUT, WISHES TO BRING TO THE ATTN. OF THE Ct. THE UNDERLYING/COVERT CAUSES LEADING-UP TO SAN OF WHICH, THE, SO-CALLED, CO. D.P.D.-N. CO. APPL. COUNSELOR, FLATLY REF. TO BRING-UP (OUT) !?

ordinarily first exhaust your state court remedies as to each ground on which you request action by the federal court. This means that even if you have exhausted some grounds by raising them before the California Supreme Court, you must first present *all* other grounds to the California Supreme Court before raising them in your federal Petition.

• Single Petition: If you fail to set forth all grounds in this Petition challenging a specific judgment, you may be barred from presenting additional grounds challenging the same judgment at a later date.

• Factual Specificity: You must state facts, not conclusions, in support of your grounds. For example, if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do. A rule of thumb to follow is — state who did exactly what to violate your federal constitutional rights at what time or place.

See The (1) Sheet Attachment, Here-To, For Pertinent Details.



# GROUND S FOR RELIEF

22. State concisely every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and/or facts supporting each ground.

1 (a) **GROUND ONE:** The Mis-conception By The County's Vindictive D.A./

Police's ON-going, Feverent Attempts To Make DEFT. APPEAR TOO PSYCH-

LOGICALLY / CRIMINALLY INSANE, By only Stealing worthless / Insignificant Items

Such-As-(His) very own watch.

Supporting FACTS (state briefly without citing cases or law) 
IT'S A NOTED FACT

THAT EACH TIME THAT DEFT. GETS OBTAINED / INADVERTENTLY FALSELY

ARRESTED --- FOR ANY THING, SMALL-OR-GREATER OR NOTHING AT-ALL, THE

D.A.'S STAFF (AS-A-STANDING-ORDER) QUICKLY CONSPIRES TO GO-ALL-OUT, TO

MAKE (DEFT.) APPEAR PSYCHOLOGICALLY UNFIT SO THAT (HE) IS / CAN'T TAKE

PART IN HIS OWN DEFENSE --- AS WAS, TOO CLEARLY, VERBETIZED IN THE

JAIL BASE-MENT PSYCH WARD, BY A LADY (MS.) T. BRIGGS, D.D.A. (1984) -

STATED REASON(S), (SHE / THEY) WANTED DEFT. FULLY / HEAVILY MEDICATED - N-

THERE AFTER [TRIAL DEFENSE - IF ANY, BY UN-CONCERNED D.P.I.D.] TO ATTEMPT

TO BE, EVEN, FURTHER HEAVILY MED. SO (HE) (COULDN'T APPEAR) --- NOTING THAT:

THE, WOULD-BE, ALLEGED / PURPORTED VICTIM OF THE SAID FALSE RAPE, HAS BEEN

OVERTLY TRYING VERY FEVERENTLY, TO WRITE MANY LETTERS TO THE TRIAL

COURT THAT (SHE) WAS FORCED TO RE-TESTIFY, AS A PRIOR COMPLETED RAPE VICTIM /

IN OPPOSED TO, ONLY A GUESSABLE / TOO ASSUMPTIVE, MIS-CHARGE [FOR CON-

VENIENCES] OF A POL. INSTIGATED ASSAULT-W-INTENT-TO-RAPE CHARGE

--- SIMPLY, BECAUSE I AM A LIFE-TIME 290 P.C. REGISTRANT. EVEN,

IN (ALL) THE PRISONS I AM INCARCERATED IN, PARTIES FROM S.C.C. KEEP

APPEARING - N- TEMPERING - W- MY - COMMUNIQUE'S CRIMINALLY CONCEIVED

(They) EVEN FORCED (ME) ON A CONSERVATORSHIP - N- FLATLY REF. TO TAKE (DEFT.) TO CH. HEARINGS

--- (CLAIMED THEY COULDN'T FIND (ME)) --- IN A - MAX. SECURITY SECT. OF J. CO. JAIL

(SHE) DEFINITELY, NO SEE ID. OR WITNESSED INTO LYING, TO SECURE A Tainted CONVICTION

PLUS THE VICT. OF PRIOR RAPE - SEES: IT WAS THE D.A. / FRIENDS WHO COERCED (HER)

SEE THE 6th DIST., SO-CALLED, APPL. COURT FOR ITS SUMMATION / INDEPENDENT INVEST.

Did you raise GROUND ONE in the California Supreme Court?

☒ Yes ☐ No.

(b) **GROUND TWO:** The, So-Called, Good Dep. Pub. Def. IS, Much Too, Openly Shown To Have The County's-Interests-At-Heart/IN Mind, Only-Because, (It/He) Made Sure OF A Prosecutorial Conviction (S)-w/o-Regards To Def.'s Defense. Supporting FACTS (state briefly without citing cases or law): It's, Too Clear-N-Very Overtly Convincing That, IF A, would-have-been, Qualified Atty., Acting OFF/IN BEHALF OF His client/DEFT., Had OF Had ANY Kinds/Type OF Fair Considerations For (His) Clients Welfare/Rights - NO way would/could (It/He) Beg To Represent Same, Under The False Pretenses That (He) Was Sure That (It/He) Could Win The Said Case --- Especially, After DEFT. Tried To INForm (Him) OF (All) The, Too, Deliberate Falsehoods -N- The Dismissal -N- Continuous Prior Harassment/Very Close Surveillance -w- Prior (S) Uses OF Pre-Fabricated Testimony By Substituted, wann2-Be, Victims/Coerced Witnesses --- Just AS It Turned Out -To-Be IN This Farce OF A-Sham Frame-up. Then After, -N- only After (He) Assured (me), Also, That (He) Was-Definitely-Ready To Proceed To/For Trial/NOT To EVEN mention [Any Deal]-No-want-To Hear OF Such OR ANY Time Waiver - or you-are-out, he Put/Gone-Like-The-Wind/Don't Need/Want To Hear It --- Yet, After, Almost (3) mths. Delay Before The Start-Of The Trial, He Suddenly want To know IF (I) would Plead Guilty - To -One Count --- No way!! Then, he's The mass. Cal. Judge Pressure (Him) INTO Trying To Waive-Time In Support OF The D.D.A., And Had The Urdacity To Openly state/claim, In His Closing Argument, That: It IS/was A Fact That DEFT. Was The Intruder IN That Burg. Apt. - But, Was There Only For The Purpose - OF - Pooping, ONLY - Also, Indicated That DEFT. Only [Took] Worthless B.B. Cap To, maybe, Facilitate (His) Escape --- Would-you-Believe, In-The Darkened [Stated-At-Trial] Apt. -N- Outside where (He) Confirmed I.D. ???

Did you raise GROUND TWO in the California Supreme Court?

☒ Yes ☐ No. By way OF A Supplemental Addition -N- Orig. Petition N

(Pg. no. 8)

(c) **GROUND THREE:** And To Try To Sum-It-All-Up, After The D.P.D. Flatly Informed DEFT, During Said Trial, That [DEFT.] Had To Bring-Up The Things He/RED. To Bring To Attn. Of H.M. Jury On An Appeal - No Can Do Because Both He/The App. Ct. Counselor Expressly Omitted (Them) - Unless Ct. Finds Supporting FACTS (state briefly without citing cases or law): CONFLICT-OF-INTEREST, I NO-CAN, AIZ.B.021

First-Of-All, On The Night In Question (S) DEFT. Had Been/Still Was On Heavy Surveillance/Un-due Harassment Physically As Well As Psychologically, At Every Opportunized Occasion (S) - Plus, Continually Tampering/Confiscating (All) Communique's, Illegally - So Stated A.D.A., Posing As My Pub DEF., Only To Dissuade (me) From Going To Trial/or Appealing The False Convictions Of (2003) - N-Prior;

On Both Arrests (02-25/03-06-05) DEFT. Was Under Great Pressure - N-Undue Harassment To Leave The Co. - N- State, No-one-wanted (him) Around - N-After Many Such Threats - N- Perverted Theft Of (His) Person - N- Elsewhere, It's Too Highly Un-likely That [DEFT.] Would Try-To-Get Away/Pull Some Worthless/Insignificant Object, Just To Go-To-Tail.

Especially, Since [DEFT.] Can/could Get A million Such Cops Free, In That Very Area's (He) Daily Frequents - N- To Be Accused Of Stealing (His) Own Cheap W. Watch - W/o Proof-Of-Any Theft Any-where In Either Areas, Only A Ploy/Save-All-By The D.D.A. To Gain A Too Unproven/FALSE Accusational Sure Conviction - N- No Let DEFT. Appeal; The Eye-witnesses Claimed (He) Saw An Intruder wearing A light-Green Top, In The Darkness, Also, Had On (His) B.B. Cap - W/o Even Examining (H) - Plus, No Finger-Prints Matched DEFT'S To Solidify Same; Said Eyewit. was Secluded In Ct./Tail Holding Cell - w- DEFT Before Preliminary Hrgg.; Female Occupant Saw (Felt/knew Nothing (S); The Arr. Off. [Winco] Claimed (He) Saw DEFT. Peeking Into Window From His Rear-Of-House View/Position - But, Some-How A M. Kroeger Claimed (He) Was Right Next Door Saw (DEFT.) - W- Arms/Sleeve/Bag - over Eyes Peeping -

But, Later Ind. Interest-Prove (He) Was More Than (6) Blocks To T. No. Un-Accessable? Plus, The Good-Sam-Mertian Off. Stole Most-Of-My Funds On Person, Only Placed Very Small Percent On Booking Sheet

☐ Yes ☐ No.

Too To Very In-Appropriate, Had A Much Larger Amount On My Person - when Prior Arrested Dismissed - N- Released - -- Who Needs - To Try To Steal Somethings So Worthless/Insignificant - -- Especially, When DEFT. Don't Use No Head-Coverings, What-So-Ever - N- Can, Too Freely, Get Plenty From (All) The Charitable Assoc. In Area

(P. 11.9)



4 (d) **GROUND FOUR:** None Others would / might seem appropriate.  
At this time, DEFT. only meant to try to more fully Acquaint the  
Court with (His) Too unusual / Dire Situation - Because (He) Refuses To

Supporting FACTS (state briefly without citing cases or law): Accept Any worthless Deal  
Just To Please Judge Ref.  
Work Easy / Simple - w- (Him)  
Getting - Blamed For Every Things.

N/A-

Did you raise GROUND FOUR in the California Supreme Court?

☐ Yes ☐ No. N/A. - Tried To - Bring (It) To Their Attention, yes.

(Pg. no 10)

23. Do you have any petition or appeal now pending in any court, either state or federal, pertaining to the judgment under attack?

☒ Yes ☐ No UNKNOWN --- The, so-called APP (6) Dist. Counselor keep Telling DEFT. That (He) Has Nothing To Fear, (He) Has Already won said Appeal --- But, By

24. If your answer to #23 is "Yes," give the following information:

The INFO. I Got, No Such Happenings, (Only Partially Mod. Lengthy Sent. (Still Awaiting To Be Picked-up For Ct. Appeal.

(a) Name of Court: Some, UNKNOWN / UNheard OF (6) Dist. APP Ct. S.T. Cal.

(b) Case Number: H-030573 ON SUP. Ct. CC-583911 Conv. - N.A. Comp. RUSL ON 12 Nov 03-08

(c) Date action filed: SUPPOSIDLY IN June, 06 - N. UN-believable RSH. ON 03-09-08

(d) Nature of proceeding: FLYST (AM) CLAIMS (He) WON Appeal - But, INFORMS DEFT. That

There would-be A Show-Cause Order Pending soon - But best Comm. Indicated, YN, Another Too Excessive D. Atty. Gen/D.A.'s False Delaying lengthy Tactics - Seems There IS - N. APPL.

(e) Grounds raised: The D.A.'s / Atty. General's Opposition To An Already Granted Show Cause Ct. order.

(f) Did you receive an evidentiary hearing on your petition, application or motion?

☐ Yes ☒ No SUPPOSIDLY, Pending - W- Too Many UN-nec. Delays / Tampering - N.M.

25. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing: D.P.D. 120 W. MISSION ST., S.F. Ca. Campari / Popov, M.

(b) At arraignment and plea: MANY DIFFERENT D.P.D.'S - N. Fake D.D. A ONLY Pretending To Represent (DEFT.) Covertly - IN HOPE OF MAKING, UN-heard OF DEAL(S).

(c) At trial: Campari / Popov, Mark - 120 W. MISSION ST., S.F. Ca. 95110

(d) At sentencing: Same Mark Popov - Campari - D.P.D. AS Above Noted.

(e) On appeal: Under The Guise OF A Mr. D.D. Martin, Esq. 622 Washington Blvd, Alh. Cal. S.F. Ca. 94107

(f) In any post-conviction proceeding: The, so-called, SIX App. Ct. Dist. OF 333 W. S.F. St / Holo - N. Winchester Blvd

(g) On appeal from any adverse ruling in a post-conviction proceeding: None Other Than, maybe, ON Appeal, How- Ever - So very slowly / UN-believable - W- All The UN-nec. Brutality / UN-due Harassment

(g) On appeal from any adverse ruling in a post-conviction proceeding: Same.

26. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time?

☒ Yes ☐ No Two Felonies - W- UNlaw Full USE OF A, would-be, Prior - N. AN

UN-Common / Forced Entry / Peeping For The Purpose OF Burglary - To Add To / Cover-up The Dismissed Fraudulent Prior Felonious Mis-Accusations.

COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C § 1983

Name Thomas, James Edward  
 (Last) (First) (Initial)

Prisoner Number F-21197 / "A" 4, 6 Bld / Ag. Serv. Unit / "B" Sec. C.A. 120

Institutional Address C/O. P.O.B. No 290066 / C.S.P. Soc. / Folsom

Represe, California 95670-0066

## UNITED STATES DISTRICT COURT

## FOR THE NORTHERN DISTRICT OF CALIFORNIA

THOMAS, JAMES EDWARD  
 (Enter the full name of the  
 plaintiff in this action)

Case No. \_\_\_\_\_  
 (To be provided by the clerk  
 of court)

vs.

UNK. WARDEN OF THIS SAID

COMPLAINT UNDER THE CIVIL  
 RIGHTS ACT, 42 U.S.C § 1983

C.D.C. INSTITUTION- C.S.P. SAC.

P.O.B. No. 290066

Thomas, James Edward IN PRO PER - awaiting COMP. APPEL OF COUNSEL.  
 (Enter the full name of the  
 defendant(s) in this action)

All questions on this complaint form must be answered in order  
 for your action to proceed.

I. Exhaustion of Administrative Remedies

**Note:** You must exhaust your administrative remedies before  
 your claim can go forward. The court will dismiss any  
 unexhausted claims.

DEPT. IN ERROR, NO SUCH GRIEVANCE PROCEDURE IN LIEU OF AN APPEAL OF CONVS.  
 A. Place of present confinement CSP At Sacramento/Folsom

B. Is there a grievance procedure in this institution?  
 YES (X) NO ( ) FOR INSTITUTIONAL INFRACTIONS ONLY

C. Did you present the facts in your complaint for review  
 through the grievance procedure? YES ( ) NO ( ) N/A

D. If your answer is YES, list the appeal number and the date and result of the appeal at each level of review. If you did not pursue a certain level of appeal, explain why.

1. Informal appeal Note: (All) They So-called 602 Appeals I Tried To File Got Returned - w/o - Even hearing my Piece-of-Cake / For Too Excessive Verbalization

2. First formal level N/A.

3. Second formal level N/A.

4. Third formal level N/A.

E. Is the last level to which you appealed the highest level of appeal available to you? YES ( ) NO ( ) N/A. Conv. App., concerns at this time.

F. If you did not present your claim for review through the grievance procedure, explain why. N/A.

## II. Parties

Write your name and your present address. Do the same for additional plaintiffs, if any.

A. N/A.

Write the full name of each defendant, his or her official position, and his or her place of employment.

B. N/A.

(Pg. 18)

III. Statement of Claim

State here as briefly as possible the facts of your case. Be sure to describe how each defendant is involved and to include dates, when possible. Do not give any legal arguments or cite any cases or statutes. If you have more than one claim, each claim should be set forth in a separate numbered paragraph.

N/A.



IV. Relief

Your complaint cannot go forward unless you request specific relief. State briefly exactly what you want the court to do for you. Make no legal arguments; cite no cases or statutes.

N/A.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 4 day of 2, 19 X

X  
(Plaintiff's signature)

This Second Portion Was Automatically Included, For What Reasons, I  
Don't Know This So Dis H. Form Is The Only UNASL I Could Get (manage To Save)  
SAME/T.E.T. (03-25-08)

(Pg. No 207)

(P.E.N.N.)

Re: THOMAS VS. THE WARDEN OF CSP SAC/FOLSOM, REPOSE, California - 15670-0066:SUPPLEMENTAL AND NECESSARY CLARIFICATION ADDENDUM(S):(03-25-08)SEE: WITHIN/DEERING/BLACK'S DEFINITIONS OF THE CAL. PEN. CODES:

- (1) 459 P.C. - Burglary, In The First Degree; "The UN-LAWFUL ACT(S) OF ENTERING AN
- Occupied Dwelling, In The Night Time, For The Specific Intention OF Permanently
  - Depriving The owners-OF-Their Property. Such An Accusation MUST Be Clearly
  - Shown-W-The Possession OF Said Property, at the Time-OF-Apprehension--- NOT JUST
  - A mere Assumptive Possibility -w- Any Such ID. MUST Be Clear/convincing-not-in-DARKNESS
- (2) 220 P.C. - Assault-w-The Intent To Rape: The Specific Intent HAS To Be Manifested/
- Sufficiently shown/know [By menacingly Touching or verbalized TO AN EXIST certain-
  - ity---DEFINATELY, Not By merely/only Being-IN-Same-AP/Room, away FROM Purported/Would
  - Be Victim-Fully Covered /UN-Disturbed In A Bed OR, For That-matter, only A SILENT/NINDIC-
  - BUTALLY-
  - five Play By Too Brutally Inclined Pol-OFFICER'S, Benton- only A HEATFUL CORRUPTION /E-CONTI?
- (3) 647 B-H-I-P.C. - Peeping /Peeping For The Purpose-OF-Burglary-w-Who-Burg-Tools:
- In Order To Be Able To Sustain /Reasonably Accuse ONE(S) OF The UNLAWFUL ACT(S) OF
  - Peeping Into An Occupied Dwelling, Such MUST Be Clearly Shown/Evident That Such A
  - Feat IS Possible-w-Ability-To-See--- BUT, To Be Falsely /Conveniently Accused OF
  - Trying To Peep Thru An UN-Peepable /Fully Shaded Window -w- Arms/Sleeves /Large Body
  - In Front-OF-EYES--- Especially, From only Being Seen Walking ON A well lighted Driveway,
  - That The Said Pol. Surv. Team Was Frequenting OFF/ON, Seems -A-bit-TOO Fetched -w- With
  - No Tools /Step-badder For OPENED/UN-Covered Sky-view Window over Front Door??
  - AS (HE) ALREADY CLAIMED-
  - And, On Independent. IT WAS learned That M. HOFFER was over (6) Back To The No., Not N. Door "P"
  - A Properly /Acceptable /LAWFUL ID.; HAS To Be Clearly /under Ideal Conditions Be Feasible
  - Possible, DEFINATELY, Not-IN-The-DARKNESS Both Times -Initial- Confomational Under Too
  - Incriminating /Brutal Police Presence(S)--- ESPECIALLY, After The Said Eye-wit. Claimed
  - (He) Saw APARTY -w- A light-Green TOP ON wearing (His) B.B. CAP 2nd dist. IN The DARKNESS -w-
  - w- (DARK) wearing A Dark Green -N- PINK TOP, most likely The Person For DISMISSAL
  - The Sgt. -IN-Charge, Plus At least (8) Resident -w- Survivors Pol. OFF. Verified Same Just Prior T. AMST.
  - Making Matters Much Easier No Finger Prints Matched /No CAP/HAD covering No Need For S. DRINK WITH IT
  - FINISH-
  - SAME/DET. -
  - But--- Leave-It-TO THE ATTORNEY TO CONSIDER THE MATTER